

REMARKS

Claims 1-8 are pending in this application. Claims 1-3 and 5-7 stand rejected. Applicant wishes to thank the Examiner for the indication of allowance of claims 4 and 8. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 1 and 5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,081,606 ("Hansen"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of independent claims 1 and 5 not present in the cited reference is a response output selecting unit for selecting response outputs of said response output unit for each of said local areas in accordance with said spatial and time correlation function.

In Hansen, a field-flow estimator determines maximum correlation for a local area using interpolation about the maximum to determine the motion

estimation to a sub-pixel level. In contrast, according to Applicant's claim, a correlation function calculates spatial and time correlation functions between each response output. Applicants do not use interpolation to determine a motion estimation as taught in Hansen. As such, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 2 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hansen in view of U.S. Patent No. 4,616,931 ("Studer"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or combine references to arrive at the claimed subject matter. The prior art references must also teach or suggest all the limitations of the claim in question. See, M.P.E.P. § 706.02(j). A reference can only be used for what it clearly discloses or suggests. See, In re Hummer, 113 U.S.P.Q. 66 (C.C.P.A. 1957); In re Stencel, 4 U.S.P.Q.2d 1071, 1073 (Fed. Cir. 1987). Here, the references, whether taken individually or in combination, do not disclose or suggest the invention claimed by the Applicant.

As discussed above, Hansen fails to disclose the correlation function calculating unit explicitly recited in Applicant's claim. Studer was not included to cure this deficiency but to disclose additional limitations which, even if it were to disclose does not cure the deficiencies in Hansen discussed above. As such, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: May 9, 2005

Respectfully submitted,

By 

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